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Attorneys for Defendants Citibank, N.A. and Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, L.P.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

LLOYD F. BENSON III,

Plaintiff,

v.

CITIBANK, N.A.; BANK OF AMERICA, N.A.;
as successor by merger to BAC HOME LOANS
SERVICING, L.P.; and DOES 1-100, Inclusive,

Defendants.

Case No. 3:12-cv-00760-JSC

**[PROPOSED] ORDER GRANTING
DEFENDANTS' REQUEST TO REOPEN
CASE**

[FED. R. CIV. P 6(B)(1)(A)]

Magistrate Judge Jacqueline Scott Corley

Complaint Filed: January 18, 2012

Trial Date: None

Having reviewed Defendants' notice and request to reopen the case, the Court grants Defendants' motion.

Therefore, it is hereby **ORDERED** that the stay is lifted and the case is reopened.

ENTERED this 14th day of September, 2012.

UNITED STATES DISTRICT COURT

Jacqueline S. Corley

Honorable Jacqueline Scott Corley

Northern District of California, San Francisco Division

A case management conference is scheduled for November 15, 2012 at 1:30 p.m. and a joint case management statement shall be filed by November 8, 2012.

PROOF OF SERVICE

I am employed in the City and County of Salt Lake, State of Utah. I am over the age of 18 and not a party to the within action. My business address is 170 South Main Street, Suite 950, Salt Lake City, UT 84101-1648.

On **September 10, 2012**, I served the following documents by placing a true copy thereof in a sealed envelope(s) on the persons below as follows:

[PROPOSED] ORDER REOPENING THE CASE

Stephen C. Ruehmann
 Robin D. Shofner
 RUEHMANN LAW FIRM, P.C.
 9580 Oak Avenue Parkway, Suite 15
 Folsom, CA 95630
Attorneys for Plaintiffs

- ☐ (MAIL) I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Salt Lake City, UT.
- ☐ (OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained by Federal Express, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed as stated above, with fees for overnight delivery paid or provided for.
- ☐ (MESSENGER SERVICE) I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed and provided them to a professional messenger service for service. A separate Personal Proof of Service provided by the professional messenger service will be filed under separate cover.
- ☐ (FACSIMILE) Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

☐ (E-MAIL or ELECTRONIC TRANSMISSION) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed above by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(d)(1). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(d)(1). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se."

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction this service was made and that the foregoing is true and correct.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on **September 10, 2012**, at Salt Lake City, UT.

Maria-Nicolle Beringer

(Type or print name)

/s/ Maria-Nicolle Beringer

(Signature)